

ZB# 98-14

Robert Haight

59-2-20

#98-14. Haight, Robert -

Area

59-2-20.

Prelim.

April 27, 1998

Intep. & Area Variance

Need 4 fees ✓
Letters out 4/2/98. Photos ✓
Notice to Sentinel - 5/22/98

Public Hearing:

June 22, 1998.

Area Variance

& Sec. 48-14A (4)

Granted.

Refund: \$162.50

DATE May 2, 1998 RECEIPT 287752
 RECEIVED FROM Robert A. L. St. Pierre, Hought
 ADDRESS _____
 FOR Building Board # 98-14 DOLLARS \$500.00
 BY Travis Clark
Working for Hought

ACCOUNT		HOW PAID	
PAYABLE		CASH	# 07587
RECEIVED		CHECK	500.00
PAYABLE		CHECK	500.00
RECEIVED		CHECK	500.00



APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Haight

FILE# 98-14

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE

APPLICATION FOR VARIANCE FEE \$ 50.00

*paid 5/20/98
ck # 0789*

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

*paid 5/20/98
ck # 0790*

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 4/27/98 - 7 \$ 31.50
2ND PRELIMINARY- PER PAGE 6/22/98 - 8 pages \$ 36.00
3RD PRELIMINARY- PER PAGE \$
PUBLIC HEARING - PER PAGE \$
PUBLIC HEARING (CONT'D) PER PAGE \$
TOTAL \$ 67.50

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: 4/27/98 \$ 35.00
2ND PRELIM. 6/22/98 \$ 35.00
3RD PRELIM. \$
PUBLIC HEARING \$
PUBLIC HEARING (CONT'D) \$
TOTAL \$ 70.00

MISC. CHARGES:

..... \$
TOTAL \$ 137.50

LESS ESCROW DEPOSIT \$ 300.00
(ADDL. CHARGES DUE) \$
REFUND DUE TO APPLICANT . \$ 162.50

Refund

Approved: Patricia C. Bankart
289



ROBERT R. HAIGHT
SANDRA W. HAIGHT
7 FINNEGAN LANE
GOSHEN, NY 10924

0789

50-7052/2219

5/20/98

Pay to the order of Town of New Windsor \$ 50⁰⁰/₁₀₀
Fifty and 00/100 Dollars

GOSHEN SAVINGS BANK
GOSHEN, NY 10924

For 2BA #98-14 Sandra Haight

⑆221970524⑆ 852 1091341⑆ 0789



ROBERT R. HAIGHT
SANDRA W. HAIGHT
7 FINNEGAN LANE
GOSHEN, NY 10924

0790

50-7052/2219

5/20/98

Pay to the order of Town of New Windsor \$ 300⁰⁰/₁₀₀
Three Hundred and 00/100 Dollars

GOSHEN SAVINGS BANK
GOSHEN, NY 10924

For #98-14-2BA Sandra Haight

⑆221970524⑆ 852 1091341⑆ 0790

-----X
In the Matter of the Application of

ROBERT HAIGHT

**MEMORANDUM OF
DECISION GRANTING
AREA VARIANCES**

#98-14.
-----X

WHEREAS, ROBERT HAIGHT, residing at 7 Finnegan Lane, Goshen, New York 10924, has made application before the Zoning Board of Appeals for a 7,275 sq. ft. lot area, a 25 ft. lot width variance and variation of Section 48-14A(4) of the Supplemental Yard Regulations, for construction of a single-family residence on Lake Road in an R-4 zone; and

WHEREAS, a public hearing was held on the 22nd day of June, 1998 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared with his wife for this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a vacant lot consisting of two portions bisected by a public road.

(b) The Applicant seeks to have a one-family residence constructed on one side of the road and a garage on the other side of the road.

(c) Photographs and drawings submitted by the Applicant show that the proposed locations of the house and garage, respectively, are the best possible locations for these structures given the shape and size of the property.

(d) The garage cannot be setback further from the road than the proposed location of the house because the portion of the property on which the garage is sought to be located is also bordered by Beaver Dam Lake and the lake is in the way preventing setting the garage back farther from the road than the house is.

(e) Construction of the home or the garage will not alter the course of any water drainage or create a ponding or collection of any water.

(f) Neither structure will be constructed on top of a sewer or water easement.

(g) Neither construction will occur on the top of any septic field, leach field or well. The only vegetation which would have to be removed is ordinary grass.

(h) An existing hedge would have to be removed in order to have construction equipment enter the property, the removal of which hedge would not impair and might improve the sight distance for motorists traveling along the adjacent roadway.

(i) The proposed construction of the garage and residence will be consistent with those already in the neighborhood.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variances requested are not substantial in relation to the Town regulations.

4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is not self-created.

6. The benefit to the Applicant, if the requested variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variances.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 7,275 sq. ft. lot area, 25 ft. lot width and a variation of Section 48-14A(4) of the Supplemental Yard Regulations for construction of a single-family residence on Lake Road in an R-4 zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: August 10, 1998.


Chairman

Date _____

TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

TO

168 N. Drury Lane
Newburgh, N.Y. 12550

DR.

DATE

CLAIMED

ALLOWED

PUBLIC HEARING:

HAIGHT, ROBERT

Mr. and Mrs. Robert Haight appeared before the board for this proposal.

MR. TORLEY: Request for 7,275 ft. lot area and 25 ft. lot width variance for construction of single-family for construction of single-family residence on Lake Road in an R-4 zone.* Is there anyone in the audience besides the applicant that wishes to speak on this matter? Seeing none, we'll continue.

MS. BARNHART: Let the record show that 39 addressed envelopes were sent out on June 3, 1998 and the affidavit of service by mail signed by myself.

**and a Variation
of Sec. 48-14A(4) of the
Supp. Code
Reg.*

MR. TORLEY: Okay, so what do you need? Is this for a house or garage?

MR. HAIGHT: Both.

MR. KRIEGER: Is there anything on the lot now?

MR. HAIGHT: A little pavilion.

MR. KRIEGER: And you want to put a house and garage there?

MR. HAIGHT: I want to put a garage where the pavilion is, we have to show you the photographs.

MR. KRIEGER: What I am getting at is there a house on the property now or not?

MR. HAIGHT: No.

MR. KRIEGER: Is there a pavilion and you want to replace it with a garage and that is it?

MRS. HAIGHT: And we want to put a house.

MR. KRIEGER: Also on that piece of property?

MRS. HAIGHT: On two separate pieces of property.

MR. TORLEY: This is where the road splits the property.

MR. KRIEGER: The house would be on one parcel and the two parcels, although you own them both, are divided by the road.

MRS. HAIGHT: I tried to depict them, here's the road, we want the garage there and we want the house here.

MR. KRIEGER: The reason I mention it, I won't have the drawing, but I'll have the record.

MR. TORLEY: I don't think we have ever seen one with the road dividing the property.

MRS. HAIGHT: Well, you stated that we should try to set the garage back further than the house.

MR. TORLEY: From the road.

MRS. HAIGHT: Correct, but the water is in the way and now--

MR. KRIEGER: The lake you mean?

MRS. HAIGHT: Beaver Dam Lake is down here, but they are both facing the road, the garage will face the road, the house will face the road. Do they have to be set back as you had stated?

MR. HAIGHT: We can make them both the same.

MR. TORLEY: Theoretically, a detached garage cannot be closer to the road than the primary dwelling.

MR. HAIGHT: That is if they are on the same side.

MR. TORLEY: Since this is unique on the opposite sides of the road, we have nothing in the code that guides us on this so we're figuring if you'd put them both equidistant off the road then we wouldn't have to worry about it but you really can't because basically you

don't want to have your garage in the lake. I can understand that.

MR. HAIGHT: We can actually be the distance from the center of the road and put them both equal, in other words, 45 feet, all right, the only problem is when you walk out the front of the house, you're out on the road.

MR. KANE: Which is unsafe.

MR. TORLEY: I would suggest that we, that you are going to put the house back, what's the front yard requirement for this?

MR. HAIGHT: 70 feet.

MR. BABCOCK: No, it's an R-4 zone, it's only 35 feet.

MR. TORLEY: So the house is going to be 40 feet from the road?

MRS. HAIGHT: Correct.

MR. HAIGHT: We'd like to take it back 70.

MR. TORLEY: You don't have to have, the house can be as far back from the road as you want as long as you have your rear yard.

MR. KRIEGER: It's a minimum.

MR. BABCOCK: What they are getting at the board said at the last meeting maybe if you put the garage back as far as you put the house, it really wouldn't be closer to the street than the principal building, what he wants to put his house 70 feet off the road, which is a nice thing to do, but if you go 70 feet the other way he's going to be into the lake.

MR. TORLEY: Okay now, I'm confused on the law as to whether because of this property is so straight being divided by a road whether that front yard regulation even applies to a garage that is on the other side of the road.

MR. HAIGHT: To me, as long as it's back 45 feet, I can be back further.

MR. BABCOCK: I think also the reason we did that, Larry, was of a lack of a better place to put it. The other thing that probably could be written on is that you can't have an accessory structure without a principal structure, okay. So when you look in the bulk tables, it says permitted structure and says one family, then it says permitted accessory structures, so it's only permitted if you have a house so that is why we're saying this is all one piece of property. So he's got his house, he can have his garage by projecting closer to the street than the house.

MR. TORLEY: Then he also needs the variance for Section 14(A)4.

MR. BABCOCK: Which is?

MR. TORLEY: It's the accessory structure closer, the previous.

MR. BABCOCK: That is what we're saying, this is the only one he needs if it's considered one piece of property. The only law that he is breaking, he's putting the building closer to the street.

MR. KRIEGER: So he wouldn't need the 7275 and the 25 feet as it appears on the agenda.

MR. KANE: If you consider it one piece of property.

MS. BARNHART: Are they two separate lot numbers?

MRS. HAIGHT: No.

MR. BABCOCK: That is for the house he definitely needs.

MR. KRIEGER: Even if it is considered all one piece of property?

MR. BABCOCK: Yeah, because it's getting longer not

wider.

MR. KRIEGER: I'm just trying to figure out what of this what he needs assuming that it was considered one piece.

MR. KANE: He needs lot width no matter what.

MR. KRIEGER: Does he need 7,275?

MR. BABCOCK: Yes.

MR. KRIEGER: Even if we consider it one piece of property, he needs both of those in addition to those two, does he also need projecting closer?

MR. BABCOCK: Yes.

MR. KANE: So he needs three?

MR. BABCOCK: And there is two denials we did, one for the house, one for the garage.

MR. KRIEGER: Though the agenda says he needs two, he really needs three.

MR. KANE: We need to add in projecting closer to the road.

MR. BABCOCK: It's there.

MR. TORLEY: The only question I have this is such a neat piece of property, I have no objection to what the applicants want to do, I want to get the opinion from Andy, the notice to the public would cover adding this other variance request?

MR. KRIEGER: Yes, cause it's an area request, if it were a use request, and he applied for area, it might be problematic but here, it's not.

MR. TORLEY: It's quite obvious, I think this is such a unique piece of property, the applicant is doing the best they can with it.

MR. KANE: I agree.

MR. KRIEGER: Yet the property is bisected by a road and on the boundary by the lake.

MS. BARNHART: And the adjacent people aren't here.

MR. TORLEY: I will, in the absence of anyone in the audience, we'll close the public hearing section of this discussion and open it back up to the ladies and gentlemen, anything else you wish to say?

MR. KANE: Entertain a motion?

MR. KRIEGER: Let me ask you a couple questions. In order for you to do this construction, will you be altering the course of any water drainage or creating a ponding or collection of any water?

MRS. HAIGHT: No.

MR. KRIEGER: Will you be constructing anything on top of either sewer or water easement?

MRS. HAIGHT: No.

MR. KRIEGER: Will you be constructing anything on the top of the septic field, leach field or well?

MRS. HAIGHT: No.

MR. HAIGHT: Only thing we've got to do is drill a well.

MR. KRIEGER: In order to effect the construction, what vegetation will you be removing?

MRS. HAIGHT: Grass.

MR. HAIGHT: It's been cleared.

MR. KRIEGER: Any trees or shrubs?

MRS. HAIGHT: There is a row of hedges that would be removed so they can get equipment in to put it up.

MR. KRIEGER: They would be between the structure and Lake Road?

MRS. HAIGHT: Correct.

MR. KRIEGER: So by removing them it would actually improve the sight distance of motorist traveling on Lake Road?

MRS. HAIGHT: No.

MR. KRIEGER: It might improve it?

MRS. HAIGHT: Yes.

MR. TORLEY: Has--

MR. KANE: In removing those, you're not going to create any water hazards?

MRS. HAIGHT: No.

MR. KANE: And the building itself is not going to change the nature of the neighborhood, it's going to fit in with the existing buildings?

MRS. HAIGHT: The garage or the house itself? There's only one house.

MR. KRIEGER: But the general area, it's going to be about the same size and similar appearance.

MR. HAIGHT: Yes.

MR. KRIEGER: For the record, Pat did point out that the actual public Notice of Hearing did in fact include request variation of 4814(A)4.

MR. BABCOCK: Okay.

MR. KANE: I have no further questions. Accept a motion?

MR. TORLEY: Please.

June 22, 1998

25

MR. KANE: I move that we grant Robert Haight his requested variance for construction of a single family residence on Lake Road.

MS. OWEN: I second it.

ROLL CALL

MS. OWEN	AYE
MR. TORLEY	AYE
MR. KANE	AYE

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

3 parts

DATE: 4/9/98

APPLICANT: Robert Haight
7 Finnegan Lane
Goshen, New York 10924

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 4/9/98

FOR : For a new A-1 House

LOCATED AT: Lake Road

ZONE: R-4

DESCRIPTION OF EXISTING SITE: 59-2-20 Vacant Lot

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Insufficient lot area and lot width for proposed one family house.


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: C-9

D-9

MIN. LOT AREA: 21,790

14,515

7,275

MIN LOT WIDTH: 100'

75'

25'

REQ'D.. FRONT YD:

REQ'D. SIDE YD:

REQD. TOTAL SIDE YD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX. BLDG. HT.:

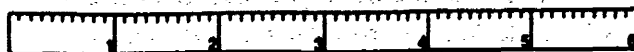
FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP

SCALE IN 1/10 OF AN INCH

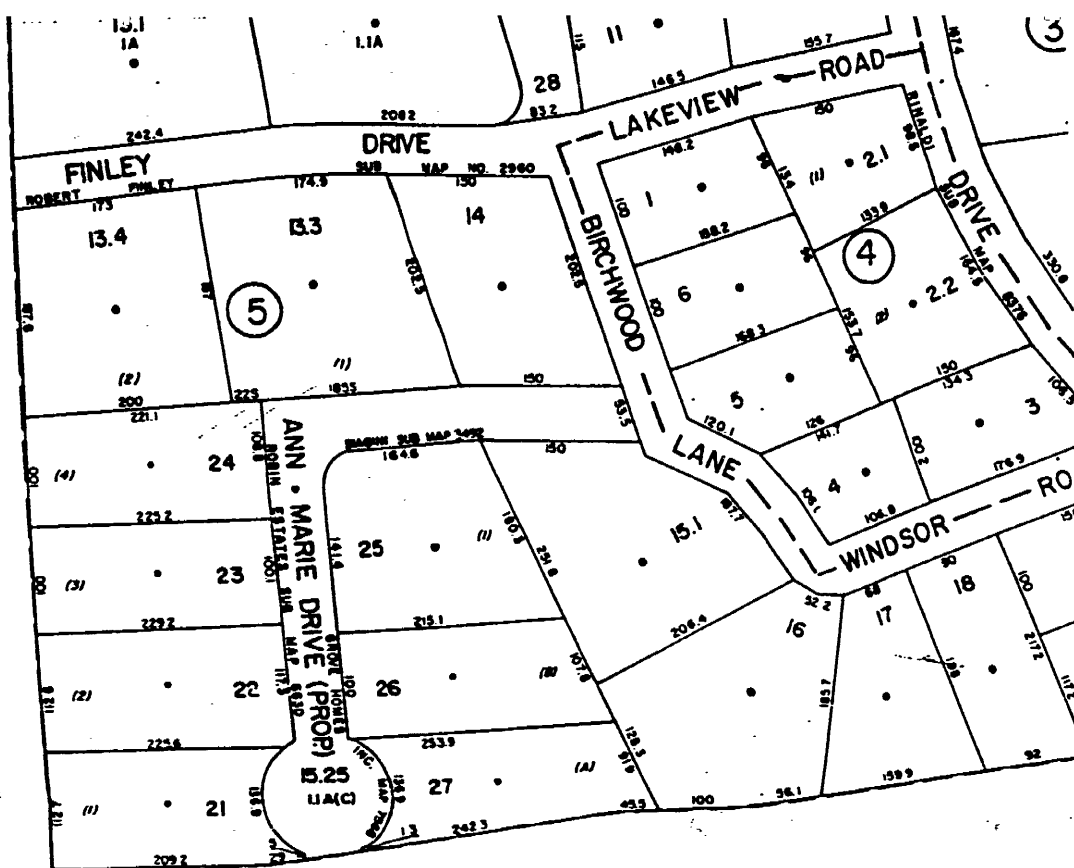


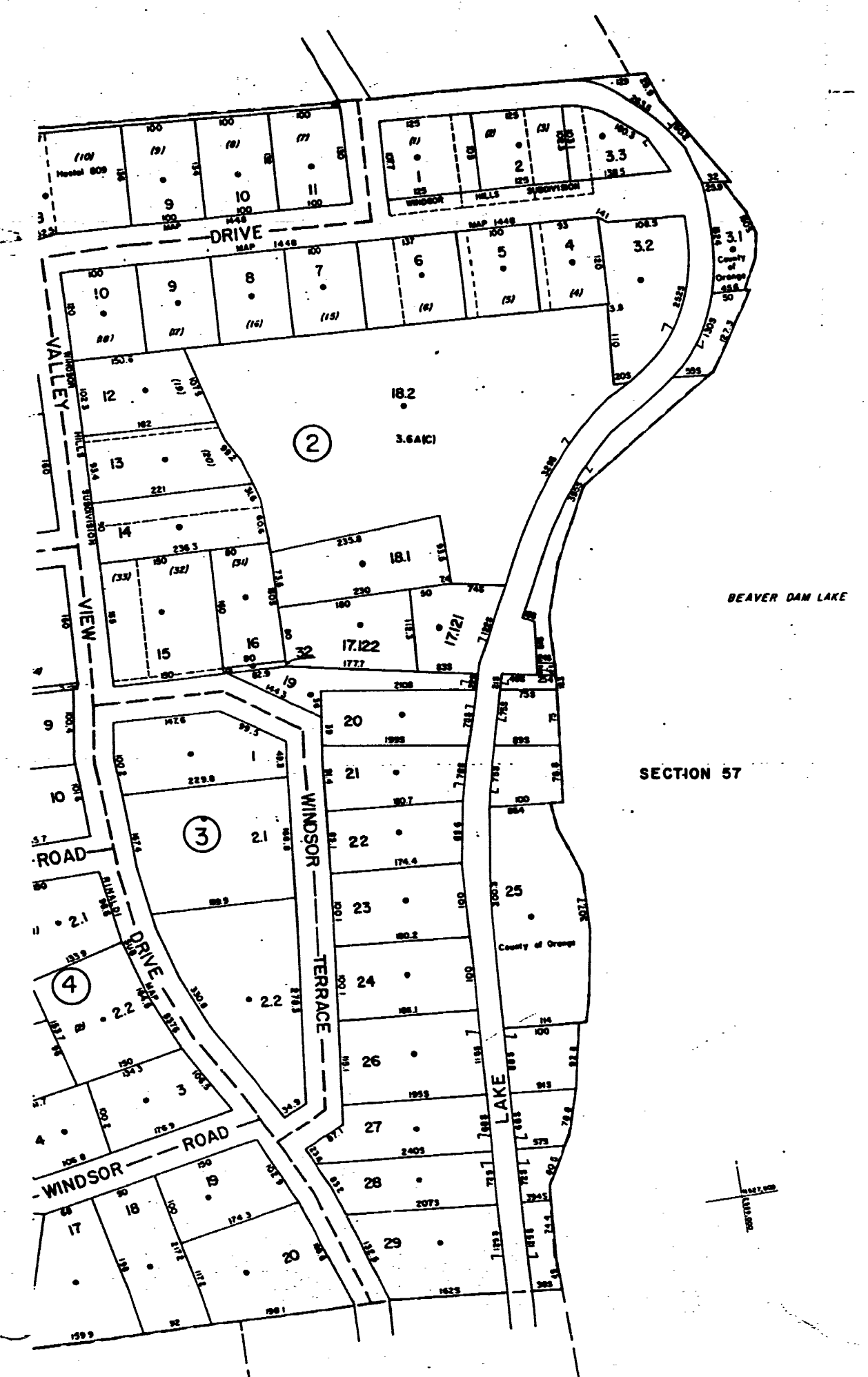
1-800-345-7334

SECTION 58

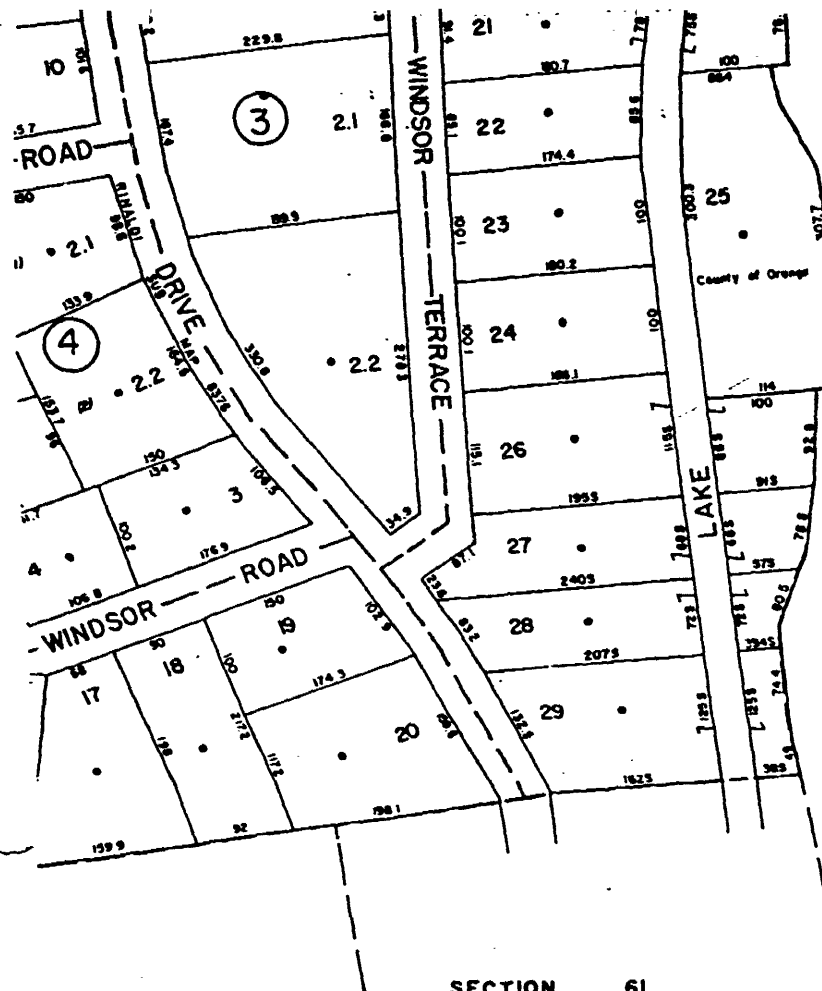
SECTION 57







SECTION 57



SECTION 61

ALL WASHINGTONVILLE
ALL SALISBURY MILLS

FILED PLAN BLOCK NO.	② ③
FILED PLAN LOT NO.	1-1
STATE HIGHWAYS	NY STATE HIGHWAY NO. 1
COUNTY HIGHWAYS	COUNTY HIGHWAY NO. 1
TOWN ROADS	TOWN ROAD NO. 1

ORANGE COUNTY~NEW YORK

Photo No. 7-344,345 8-497,498

Date of Map: 9-24-67

Date of Photo: 3-1-65

Date of Revision: 3-1-93

Scale: 1" = 100'

TOWN OF NEW

Section No 59

1 / 19
APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK

IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing is completed and before it is covered from inside and plumbing rough-in.
5. Insulation.
6. Plumbing final and final. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Permit number must be called in with each inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permit must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and per test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

PLEASE PRINT CLEARLY
FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises ROBERT R. HAIGHT

Address 7 FINNEGAN LANE - GOSHEN NY 10924 Phone 294-8221

Mailing Address 7 FINNEGAN LANE - GOSHEN NY 10924

Name of Architect _____

Address _____ Phone _____

Name of Contractor GEORGE STODDARD - CENTURY CUSTOM BUILDERS

Address HCR-6 BOX 6869 - HAWLEY PA 18428 Phone 717-226-0405

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

FOR OFFICE USE ONLY

Building Permit # _____

1. On what street is property located? On the NORTH side of LAKE ROAD
(N, S, E or W)
and _____ feet from the intersection of WINDSOR TERRACE
2. Zone or use district in which premises are situated R-4 I. property a flood zone? Y N X
3. Tax Map Description: Section 59 Block 2 Lot 20
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
 - a. Existing use and occupancy VACANT LAND
 - b. Intended use and occupancy 1-FAMILY HOUSE
5. Nature of work (check if applicable) New Bldg ☒ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☐
6. Is this a corner lot? NO
7. Dimensions of entire new construction. Front 27 Rear 27 Depth 46 Height 27 No. of stories 3
8. If dwelling, number of dwelling units: 1 Number of dwelling units on each floor _____

Number of bedrooms	<u>3</u>	Baths	<u>2</u>	Toilets	<u>2</u>
Heating Plant:	Gas _____	Oil <u>X</u>	Electric/Hot Air _____	Hot Water _____	
If Garage, number of cars _____					
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____
10. Estimated cost 150,000 I Fee _____
(To be Paid on this Application)
11. School District WASHINGTONVILLE

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

1 / 19
APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspector: Frank Lisi,
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 664-4618 563-4618
(914) 563-4693 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

REFER TO:

Planning Board ☐ Highway Dept ☐ Sewer ☐ Water ☐ Zoning Board of Appeals ☐

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

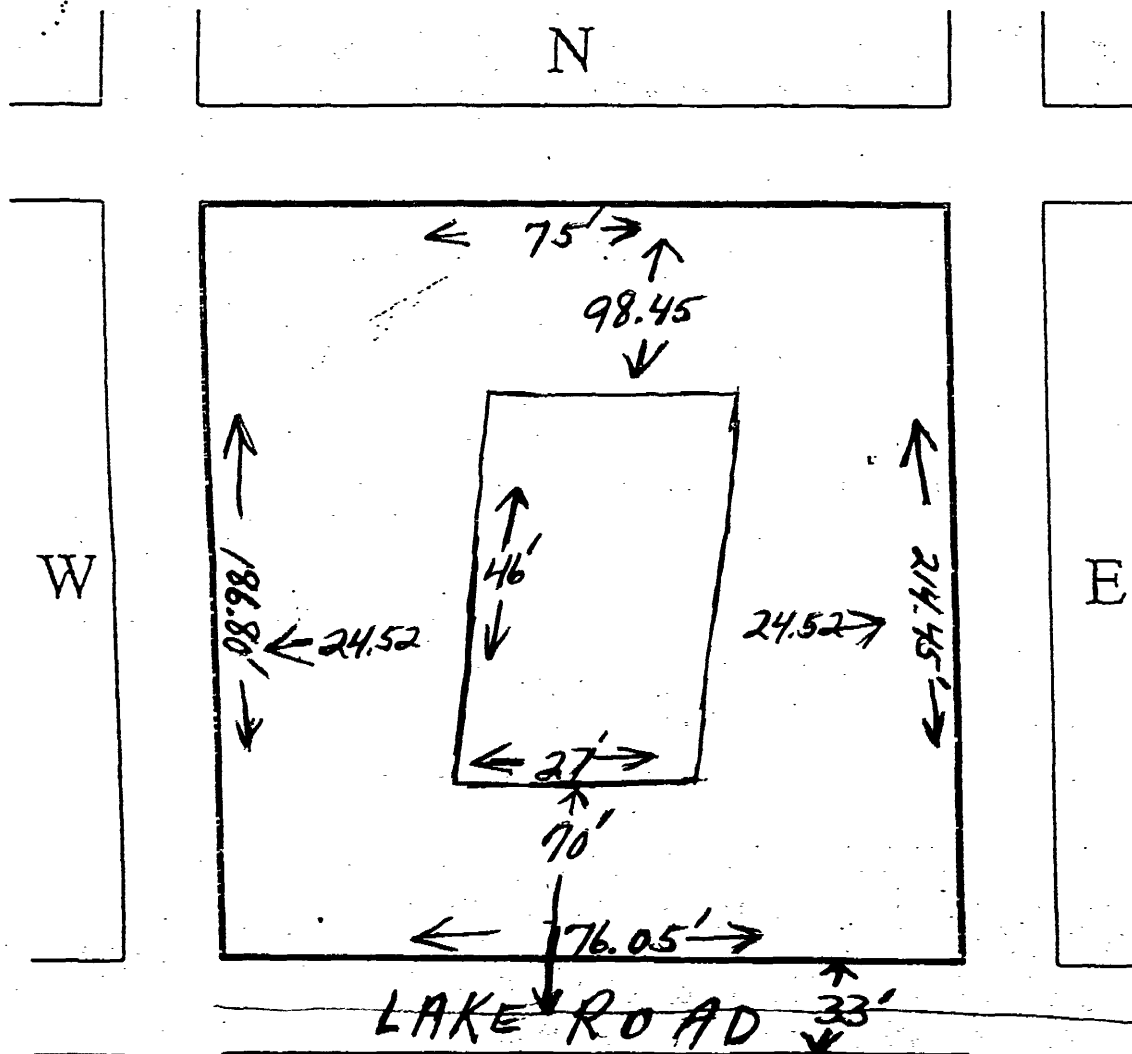
Robert R. Hight
(Signature of Applicant)

7 FINNEGAN LA - GOSHEN NY 10924
(Address of Applicant)

PLOT PLAN

NOTE: Locate all lines and indicate all set back dimensions. Attachments: (indicate the location of all lines)

clarity and distinctly on the drawings.



11. School District WASHINGTONVILLE

Costs for the work described in the Application for Building Permits include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

IMPORTANT

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Name of Architect _____

Address _____ Phone _____

Name of Contractor GEORGE STODDARD CENTURY CUSTOM BUILDERS

Address HCR-6 BOX 6869 - HAWLEY PA 18428 Phone 717-226-0405

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

FOR OFFICE USE ONLY

Building Permit # _____

1. On what street is property located? On the SOUTH side of LAKE ROAD
(N, S, E or W)
and _____ feet from the intersection of WINDSOR TERRACE
2. Zone or use district in which premises are situated R-4 I. property a flood zone? Y _____ N X
3. Tax Map Description: Section 59 Block 2 Lot 20
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy VACANT LAND b. Intended use and occupancy 2 CAR GARAGE
5. Nature of work (check if applicable) New Bldg ☒ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☐
6. Is this a corner lot? NO
7. Dimensions of entire new construction. Front 24 Rear 24 Depth 24 Height 12 No. of stories 1
8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____
Number of bedrooms _____ Baths _____ Toilets _____
Heating Plant: Gas _____ Oil _____ Electric/Hot Air _____ Hot Water _____
If Garage, number of cars _____
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost 12,000 Fee _____
(To be Paid on this Application)
11. School District WASHINGTONVILLE

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

S

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

1 / 19

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Bobcock
Asst. Inspectors: Frank Lisi,
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 464-4618 563-4618
(914) 563-4693 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

REFER TO:

Planning Board ☐ Highway Dept ☐ Sewer ☐ Water ☐ Zoning Board of Appeals ☐

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

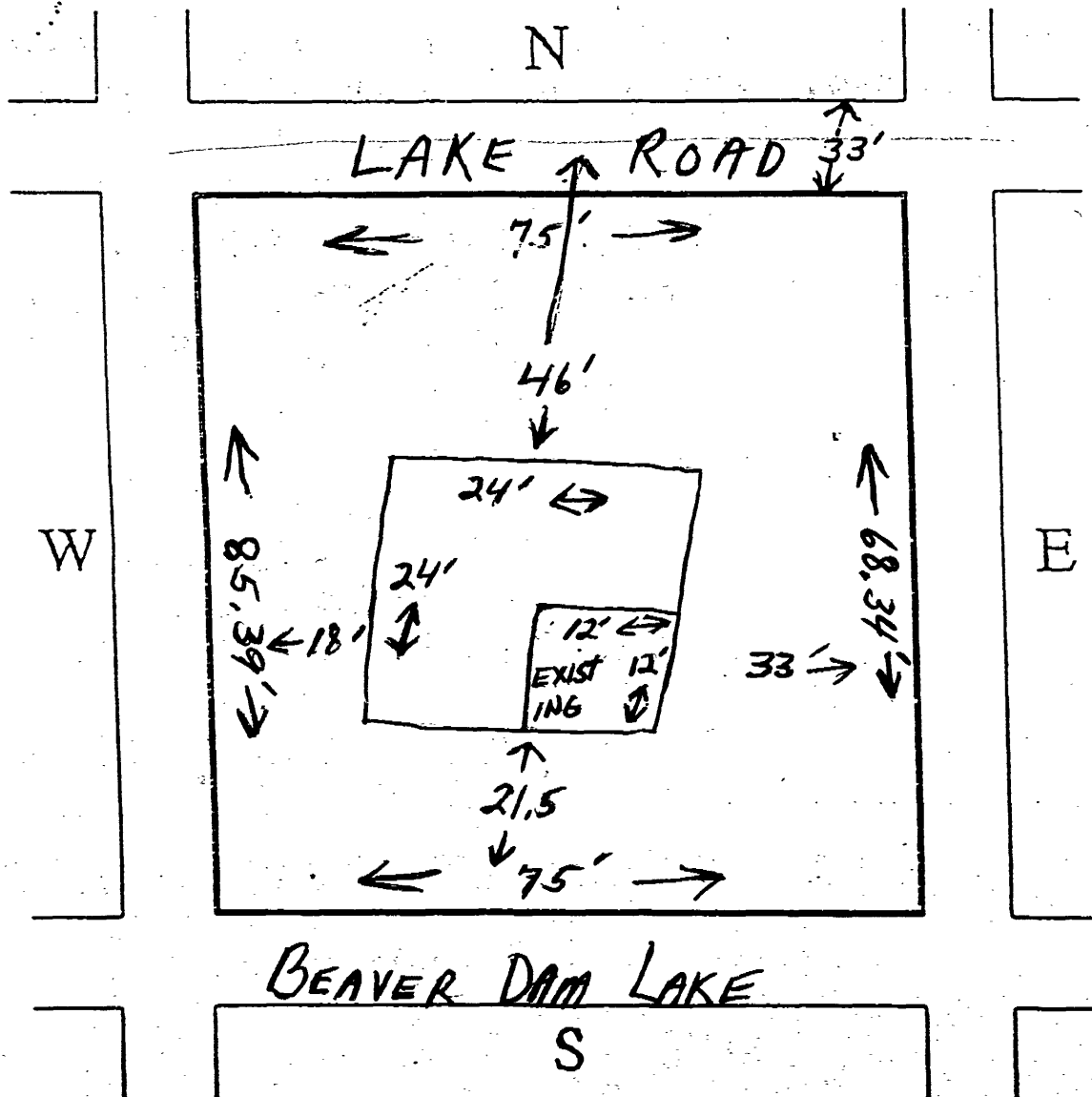
Robert R. Haight
(Signature of Applicant)

2 FINNEGAN LA-GOSHEN NY 10924
(Address of Applicant)

PLOT PLAN

NOTE:

Locate all building and indicate all set back dimensions. Applicants must indicate the building line or lines clearly and distinctly on the drawing.



**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 4/9/98

**APPLICANT: Robert Haight
7 Finnegan Lane
Goshen, New York 10924**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 4/9/98

FOR : Garage

LOCATED AT: Lake Road

ZONE: R-4

DESCRIPTION OF EXISTING SITE: 59-2-20

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Proposed garage construction accessory to principal use can not be constructed before principal building.**

Sec. 48-14 A (4)


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: M-8

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

REQ'D. SIDE YD:

REQD. TOTAL SIDE YD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP

OFFICE OF THE BUILDING INSPECTOR

TOWN OF NEW WINDSOR

ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: 4/9/98

APPLICANT: Robert Haight
7 Finnegan Lane
Goshen, New York 10924

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 4/9/98

FOR : To construct a 24 X 24 two car garage.

LOCATED AT: Lake Road

ZONE: R-4

DESCRIPTION OF EXISTING SITE: 59-2-20 Vacant Land

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Propose 2- car garage projects closer to the road then principal building

Sec. 48-14A(4)


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: 48-14-A-4

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

REQ'D. SIDE YD:

REQD. TOTAL SIDE YD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

48-14-A-4 shed projection

cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP

Pls. publish on or before June 10th. Send bill to Applicant @ 7 Finnegans Lane
Goshen, NY
10924.

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 14

Request of Robert R. Haight

for a VARIANCE of the Zoning Local Law to Permit:

Construction of single-family dwelling w/ insufficient lot area, lot width,
also variation of Section 48-14A(4) of Supp. Yard Regs., and/or Interpretation;
being a VARIANCE of Section 48-12 - Table of Use/Bulk Regs. - Col. C & D;

for property situated as follows:

on the north & south side of Lake Rd., New Windsor, NY.

known and designated as tax map Section 59, Blk. 2, Lot 20.

SAID HEARING will take place on the 22nd day of June, 1998 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

James Nugent.
Chairman

By: Patricia A. Barnhart, Secy

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
APPLICATION FOR VARIANCE

98-14

Date: 5/20/98

I. ✓ Applicant Information:

- (a) ROBERT R HAIGHT, 1 FINNEGAN LA, GOSHEN NY 10924 294-7497
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☒ Interpretation

III. ✓ Property Information:

- (a) R4 LAKE ROAD 59-2-20 2/262 59 FT
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? N/A
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? 10/6/86
- (e) Has property been subdivided previously? No
- (f) Has property been subject of variance previously? YES
If so, when? 12/10/90
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: N/A

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes _____ No _____.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

✓ V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. C & D.
Section 48-14A(4)

Requirements	Proposed or Available	Variance Request
Min. Lot Area <u>21,790 s.f.</u>	<u>14,515 s.f.</u>	<u>7,275 s.f.</u>
Min. Lot Width <u>100 ft.</u>	<u>75 ft.</u>	<u>25 ft.</u>
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. _____	_____	_____
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only

** No-residential districts only

✓ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: *N/A*

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation. *N/A*

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

(b) Variance: Granted (____) Denied (____)

(c) Restrictions or conditions: _____

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-4693

Assessors Office

May 6, 1998

39

Mr. Robert R. Haight
7 Finnegan Lane
Goshen, NY 10924

Re: Tax Map Parcel #59-2-20

Dear Mr. Haight:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$55.00, minus your deposit of \$25.00.

Please remit the balance of \$30.00 to the Town Clerk's office.

Sincerely,

Leslie Cook
Sole Assessor

/cad
Attachments

Erwin O. & Erna Schelhammer
211 Lake Rd.
Salisbury Mills, NY 12577

Robert E. Witt
7 Hillcrest Drive
Salisbury Mills, NY 12577

Bank of New York
c/o The Money Store
3464 ElCamino Ave
Sacramento, CA 95816

John & Elsie Pearson
9 Hillcrest Drive
Salisbury Mills, NY 12577

Joseph R. & Annette M. Capone
15 Hillcrest Drive
Salisbury Mills, NY 12577

Edward A. & Elba I. Chinae
17 Hillcrest Dr.
Salisbury Mills, NY 12577

Rita F. Miller
PO Box 151
Salisbury Mills, NY 12577

William A. & Janet L. Walters
50 Valley View Dr.
Salisbury Mills, NY 12577

Jacqueline Cooper
48 Valley View Drive
Salisbury Mills, NY 12577

Thomas J. & Kerri Sudul
122 Windsor Terrace
Salisbury Mills, NY 12577

James A. Jr. & Marguerite O. Madden
120 Gold Creek Circle
Folsom, CA 95630-2006

Charles I. Jr. & Margaret Decker
189 Lake Rd.
Salisbury Mills, NY 12577

Mary O'Brien Trust
111 Briny Ave.
Apt. 2614
Pompano Beach, FL 33062

Paul S. & Donna M. Goodrich
112 Windsor Terrace
Salisbury Mills, NY 12577

Mildred Weider
552 Laguardia Place
New York, NY 10012

Frances H. Remba
c/o Frances Herald Gampel
3 Peter Cooper Rd.
New York, NY 10010

Francis E. & Marianne Sutton
106 Windsor Terrace
Salisbury Mills, NY 12577

The County of Orange F/B/O Beaver Dam
Protection & Rehabilitation District
265 Main Street
Goshen, NY 10924

Karen Niazi
8213 100 55th Ave.
Howard Beach, NY 11414

Robert T. & Marianne Miller
102 Windsor Terrace
New Windsor, NY 12553

Mark R. & Bertha McKeon
40 Valley Drive
Salisbury Mills, NY 12577

Stephen H. & Bertha Delgado
36 Valley View Drive
Salisbury Mills, NY 12577

Conor & Anne Rita Cahill
32 Valley View Drive
Salisbury Mills, NY 12577

George L. Jr. & Mary Jane Gisselbrecht
8 Birchwood Lane
Salisbury Mills, NY 12577

Edwin L. Shepard & Ann Saweikis-Shepard
3849 N. Blazingstar Way
Beverly Hills, FL 34465-3390

Tammy M. Villarrubia
39 Valley Drive
Salisbury Mills, NY 12577

Michael & Annette Sales
33 Valley Drive
Salisbury Mills, NY 12577

Danny & Janine Rhein
19 Ridge View Rd.
Salisbury Mills, NY 12577

Michael J. & Mary Alice Haliman
5 Ridgeview Rd.
Salisbury Mills, NY 12577

Bennie & Mary Miseriendino
49 Valley View Drive
Salisbury Mills, NY 12577

Jerry & Linda Olsen
45 Valley View Rd.
Salisbury Mills, NY 12577

Eugene L. & Florence P. Racette
43 Valley View Drive
Salisbury Mills, NY 12577

Vera M. & Charles F. Toole
106 Lakeview Rd.
Salisbury Mills, NY 12577

Jean Friend Condrey
53 Valley View Drive
Salisbury Mills, NY 12577

Keith A. & Lesley Anne Forman
6 Ridge View Rd.
Salisbury Mills, NY 12577

Beaver Dam Lake Protection &
Rehabilitation District
c/o Department of Public Works
Rte 17M
Goshen, NY 10924

Adele T. Greeney
33 Lake Drive
Salisbury Mills, NY 12577

Mirja Hoffman
5500 Fieldstone Rd.
Bronx, NY 10471

Cecelia Llanusa
PO Box 182
Salisbury Mills, NY 12577

**ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR
COUNTY OF ORANGE : STATE OF NEW YORK**

In the Matter of the Application for Variance of

Robert R. Haight,

Applicant.

98-14.

**AFFIDAVIT OF
SERVICE BY
MAIL**

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

PATRICIA A. BARNHART, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, Windsor, N. Y. 12553.

That on June 3, 1998, I compared the 39 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then mailed the envelopes in a U.S. Depository within the Town of New Windsor.

Patricia A. Barnhart

Patricia A. Barnhart

Sworn to before me this

3rd day of June, 1998.

Mary Ann Hotaling
Notary Public

**MARY ANN HOTALING
Notary Public, State of New York
No. 01H05062877
Qualified in Orange County
Commission Expires July 8, 1998**

PUBLIC NOTICE OF HEARING
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 14

Request of Robert R. Haight

for a VARIANCE of the Zoning Local Law to Permit:

Construction of single-family dwelling w/ insufficient lot area, lot width,
also variation of Section 48-14A(4) of Supp. Local Regs., and/or Interpretation;
being a VARIANCE of Section 48-12-Table of Use/Bulk Regs. - Col. C+D;

for property situated as follows:

on the north & south side of Lake Rd., New Windsor, NY.

known and designated as tax map Section 59, Blk. 2, Lot 20.

SAID HEARING will take place on the 22nd day of June, 1998 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

James Nugent.
Chairman

Date 4/28/98 19.....

TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

TO DR.

.....
 Frances Roth
 168 N. Drury Lane
 Newburgh, N.Y. 12550

DATE		CLAIMED	ALLOWED
4/27/98	Town Board Mtg	75 00	
	Misc. - 2		
	Haight - 7		
	Dermitt - 3		
	Ciccione - 2		
	<u>Bagarozzi - 4</u>	<u>81 00</u>	
	18		
		156 00	

PRELIMINARY MEETING:

HAIGHT, ROBERT

MR. NUGENT: First preliminary meeting Robert Haight. Request for 7,275 square foot lot area, 25 ft. width for construction of single family residence and variance from Section 48-14A(4) of supplemental yard regulations to allow a two car garage to project closer to road than principal residence on the west side of Lake Road in an R-4 zone.

Mr. and Mrs. Robert Haight appeared before the board for this proposal.

MRS. HAIGHT: We had already gotten the width variance for the lot but we didn't commence construction so we wanted to do that so we can start building.

MR. NUGENT: Michael, do we have that? What year is that, ma'am?

MRS. HAIGHT: 1990.

MR. NUGENT: Got to start all over again, no?

MR. BABCOCK: Yes.

MS. BARNHART: If you didn't commence construction within a year's time, then you lose it.

MR. HAIGHT: It took us two years to get the last one.

MRS. HAIGHT: Anyway, that's history.

MR. NUGENT: You have got it in here anyway.

MRS. HAIGHT: I don't understand the wording on the garage projecting in front of the house.

MR. NUGENT: You can't--

MRS. HAIGHT: That is not what we're asking for. The road divides the property, the lake is here.

MR. NUGENT: Want to explain that Mike, please?

MR. HAIGHT: There is a pavilion there already, 15 x 15.

MRS. HAIGHT: There's a little concrete, we want to use that as a start of a garage.

MR. HAIGHT: We want to extend it, it's 15 x 15, four foot footings in the ground, built in '52 by my father and want to put a double car garage here, one story.

MR. TORLEY: So you want to put the garage on the east side of Lake Road?

MR. HAIGHT: Opposite side.

MR. BABCOCK: I think maybe Andy can clarify, he's the guy that needs to clarify it. There is either one of two rules that they are not going to meet, if the road is a natural subdivision, the town road, he owns property on both sides of the road, he wants to put his house on one side of the road, his garage on the opposite side of the road, if it's a natural subdivision, then he would need a variance from the accessory structure you need a principle dwelling to have an accessory structure if it is an actual subdivision then he cannot exceed the principle building as far as the front yard. So he's sitting in the front yard with the garage.

MR. TORLEY: How far is the garage from the road?

MR. HAIGHT: Want to put it on the opposite side.

MR. NUGENT: It's a natural subdivision.

MR. BABCOCK: You know that is--

MR. NUGENT: Lake Road is a bona fide road.

MR. BABCOCK: It's still one lot, Mr. Chairman, you know, it's not two tax maps, it's one lot.

MR. NUGENT: With the road running through the middle

of it.

MR. TORLEY: If he puts the house 40 feet from the road and on the other side of the road, he puts the garage 40 feet.

MR. HAIGHT: It's actually 65 feet with the front of the building.

MR. BABCOCK: You tell me what you want me to do, it's unique.

MR. HAIGHT: I have already got a 15 x 15 pavilion, all I've got to do is close it in.

MR. TORLEY: How far from the road?

MR. HAIGHT: Right now, it's 65 feet, the property.

MR. TORLEY: Andy, your opinion, even though it's on the other side of the road, if it's further from the road than his house is, is it--

MR. HAIGHT: Cause I have got a pavilion there now.

MR. KRIEGER: Then no, it doesn't project closer. But it is rather unique because normally, the road runs in front of structures, not in between.

MRS. HAIGHT: We didn't put the road there.

MR. KRIEGER: I understand that, when I say that, there's no blame or criticism attached, just a matter of fact unique.

MR. TORLEY: And unique helps in the zoning board in this particular situation.

MR. HAIGHT: Actually, I have a business too, besides some land, it's only 75 feet wide.

MR. TORLEY: Now, they have, do they have to apply for a variance anyway?

MR. NUGENT: Yes.

MR. BABCOCK: Lot area and lot width.

MR. NUGENT: Yes.

MR. TORLEY: This doesn't come under the special provision for those Beaver Dam areas?

MR. BABCOCK: No, he doesn't have town water.

MR. KRIEGER: So, as long as he's applying anyway, then my suggestion would be to apply at the same time for an interpretation and/or variance so that they'll--

MR. NUGENT: That is basically what they are doing.

MR. KRIEGER: Since they have got to apply for the other stuff anyway, that way, there will be a decision and when it comes time for that dwelling to be sold or financed or something and that will happen some day, undoubtedly, the institution then involved would be a lot happier to see something in decision form.

MR. BABCOCK: The last time that you came to the zoning board, there wasn't a discussion about the garage at a time, right, this is added?

MR. HAIGHT: No, there wasn't, no.

MR. BABCOCK: I'm just trying to look back to see what we might of said last time. It doesn't appear to be there.

MR. HAIGHT: We started out with the house and I found out through the county, put a house on that side, the lady had owned the land a hundred years ago on the lake side, we researched it ourselves through Goshen.

MR. KRIEGER: So you might as well ask the same time.

MR. HAIGHT: I have got the pavilion there 15 x 15, doesn't have to be enlarged that is really 24 x 24 and there is four foot footings and that pavilion has been there since 1952.

MR. NUGENT: You're going to want to see them too, aren't you, Mike, those footings?

MR. BABCOCK: Yeah, actually, Jim, on a 24 x 24 garage, you know, if you want to do a monolithic pour, you wouldn't need footings. So it can flow. It's not attached. I'm sure we can work that out if he's successful in getting the variance, we can work that detail out.

MR. NUGENT: Okay.

MR. TORLEY: But it fits the property.

MR. KRIEGER: Oh, yeah.

MR. TORLEY: Question then becomes if we're giving an interpretation how would we be phrasing it when we go to the public hearing. We said the garage is not actually closer to the road than the principle dwelling is, would that be acceptable, we're not going to find too many of these.

MR. BABCOCK: Larry, if you notice there is three disapprovals, two for the garage and one for the house. The house is lot area and lot width, we got that, the disapprovals for the garage is the one that can't project closer to the street and the other one is that the law says you cannot have an accessory structure without a principle structure so if you want to buy a piece of property that is an acre or ten acres and you just want to put up a shed, you can't do that, you have to have a principle structure and you're able to put up a shed or garage.

MR. KRIEGER: This is one parcel and it's always been one parcel when you bought it?

MR. HAIGHT: Yes.

MR. KRIEGER: This isn't, I didn't look at the map, this isn't of a size that could be subdivided?

MR. BABCOCK: No.

April 27, 1998

7

MR. HAIGHT: No, it's only a third of an acre.

MRS. HAIGHT: We don't want to--

MR. BABCOCK: But if it's considered a separate lot, then he doesn't have a principle building on it. We weren't sure what to do, we wrote him up to get him here tonight and the board can discuss it.

MR. KRIEGER: Then you might as well put them both on for interpretations. My feeling is very definitely is not a natural subdivision because of the size of the property. As far as the projected closer, you come in with your measurements and that question may also disappear.

MR. HAIGHT: As long as I have enough road frontage in front should be legal really.

MR. KRIEGER: You come in simply with a measurement between the garage and the road and the house and the road.

MR. HAIGHT: Yeah, they are both basically pretty close.

MR. NUGENT: Make sure the other one's less.

MR. BABCOCK: The house is proposed to be 40 feet off the road.

MR. HAIGHT: Well, actually you have to have it surveyed. We wanted to go back for enough to make like a horseshoe driveway, but the property is only 75 feet wide.

MRS. HAIGHT: When we made the applications, it was so that the variance could get reinstated or whatever we had to do, the details the builder can do all the final details, so that you know everything.

MR. NUGENT: Okay, what's your pleasure?

MR. TORLEY: I move we set up Mr. Height for his requested variance and interpretations on his lot on

April 27, 1998

8

Lake Road.

MS. OWEN: Second it.

ROLL CALL

MS. OWEN	AYE
MR. REIS	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

MR. KRIEGER: Okay, these are the criteria on which the Zoning Board of Appeals must decide, according to state law. If you would address yourself to those criteria in your presentation, that would be helpful. You understand for preliminary purposes pretty close is okay, for public hearing purposes, we're going to have to have numbers attached to that.

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 6th day of October, nineteen hundred and eighty-six
BETWEEN

JOHN KNIPP and FANNIE KNIPP, his wife, both
residing at Route 208, Washingtonville, New
York 10992

party of the first part, and ROBERT R. HAIGHT, residing at 142 Montgomery
Street, Goshen, New York 10924

party of the second part,

WITNESSETH, that the party of the first part, in consideration of -----

-----Ten (\$10.00)-----

dollars,

lawful money of the United States, and other good and valuable consideration paid
by the party of the second part, does hereby grant and release unto the party of the first part, the heirs or
successors and assigns of the party of the second part forever.

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in the Town of New Windsor, County of Orange and State of
New York, bounded and described as follows:

BEGINNING at a point in the southeasterly side of Windsor Terrace marked by an iron pipe and distance as measured along the same the following two courses and distances from the southeasterly corner of Valley Drive and Windsor Terrace: 1) North 77 degrees 34' East 63.04 feet, and 2) North 18 degrees 49' East 515.80 feet; and running thence North 18 degrees 49' East 75 feet to a pipe (passing through a pipe representing a deflection point in Windsor Terrace at a distance of 38.96 feet); thence along other lands of Clarence P. Strakosch and Mary E. Strakosch South 69 degrees 21' 40" East 316.52 feet to a point in the westerly side of Beaver Dam Lake (passing through a pipe on said course at a distance of 294.81 feet; thence along the westerly side of said Lake South 17 degrees 33' 15" West 75 feet to a point; thence along other lands of Strakosch North 69 degrees 22' 25" West 318.05 feet (passing through pipes on said course at distances of 21.71 feet and 150 feet) to the point or place of beginning. Containing 23,768.55 square feet or 0.5457 acres of land, more or less. Excepting from the above described premises all land in the bed of Lake road, approximately 33 feet wide.

SUBJECT to any state of facts an accurate survey may show.

SUBJECT to easements, covenants, restrictions, declarations and agreements of record contained in deed dated July 25, 1958 from Clarence P. Strakosch and Mary E. Strakosch, his wife, which was recorded in Liber 1472 of Deeds Page 13 in the Orange County Clerk's Office on August 12, 1958.

TOGETHER with an easement of right of way for access over and upon Windsor Terrace and Valley View Drive and along the same to and from Lake Road (Jackson Avenue).

TOGETHER with an easement for the use of the Beach Areas as described in a Declaration of Beach Area Easement dated and recorded May 25, 1956 in Liber 1387 of Conveyances at page 264.

BRING the same premises described in a deed from Charles J.

2589 to 133

TOWN OF NEW WINDSOR
Section 59, Block 2, Lot 20

CS2253

Deninger and Frances L. Deninger to John Knipp dated November 21, 1963 and recorded in the Orange County Clerk's Office on December 6, 1963 in Liber 1653 of Deeds at page 538.

BEING the same premises described in a deed from John Knipp to John Knopp and Fannie Knipp, his wife, dated January 25, 1964 and recorded in the Orange County Clerk's Office on January 29, 1964 in Liber 1656 at page 315.

BEING the same premises as set forth in a survey prepared by Edward T. Zaback, P.L.S., dated September 10, 1986 and more particularly set forth and described as follows:

ALL that certain plot, piece, or parcel of land situate, lying and being in the Town of New Windsor, Orange County, New York bounded and described as follows:

BEGINNING at a point marked by an iron pipe found in the easterly line of Windsor Terrace, said point being in the Division Line between lands now or formerly Goodrich on the south L. 2178 P. 194 and lands to be conveyed to Robert R. Haight on the north also being distant 91.43' as measured on a course N. 18-49E. from an iron pipe found and running thence: Along the easterly line of Windsor Terrace and along lands now or formerly Madden L. 1935 P. 740 on a course N. 18-49E. passing through an iron pipe found at 38.96' for a total distance of 75.00' to an iron pipe found; thence along lands now or formerly Madden and passing through Lake Road S. 69-21-40E. 316.52' feet to a point in the westerly side of Beaver Dam Lake; thence along the westerly side of Beaver Dam Lake S. 17-38-48W. 75.00' to a point in lands now or formerly Goodrich; thence along lands now or formerly Goodrich on a course N. 69-22-25W. and passing through an iron pipe found at 21.71' and an iron post at 62.81' respectively also passing through Lake Road for a total distance of 318.05' to the Beginning Point.

Containing 23,733 S.F. or 0.55 Acre.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this instrument so requires. IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


JOHN KNIPP


FANNIE KNIPP

STATE OF NEW YORK, COUNTY OF ORANGE

On the 6th day of October 19 86 before me

John Knipp and Fannie Knipp

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that they executed the same.

Notary Public

EDWARD J. CARROLL
Notary Public, State of New York
Qualified in Ulster County
Commission Expires March 30, 1987

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that they executed the same.

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Mortgage and Sale Debt
WITH COVENANT AGAINST GRANTOR'S ACTS
TITLE No. 6242

JOHN KNIPP and FANNIE KNIPP,
his wife

TO

ROBERT R. HAIGHT

SECTION
BLOCK
LOT
COUNTY OR TOWN

RETURN BY MAIL TO:

CONNOLLY & CONNOLLY, ESQS.
Goshen Savings Bank
One South Church Street
Goshen, New York 10924

Andree Mercaldo
P. O. Box 3110
Port Jervis, NY 12771

Reserve this space for use of Recording Office.

20.00
OCT 3 1986
6242
ORANGE COUNTY

Oct 30 3:00
133
Munroe & Murphy

2559 136